IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 8395 of 2007(Y)

PETITIONER:

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1. K.V.SURESAN, AGED 36 YEARS,
   S/O.M.KUNHIKANNAN, KANDAMVITTA HOUSE,
   TRIKAPUR KADAPPURAM, P.O.TRIKARPUR,
   KASARAGOD DISTRICT.

2. MITHILESH.M., S/O.RAGHAVAN,
   AGED 32 YEARS, NAMBOLAN HOUSE, AZHIKODE,
   P.O.KANNUR DISTRICT.

3. ANIL KUMAR.K.P., S/O.SREEDHARAN (LATE),
   AGED 32 YEARS, PANNIYAM HOUSE,
   EDACHERRY P.O., PALLIKUNNU, KANNUR-4.

4. AJITH.E.K., S/O.KARUNAN,
   AGED 36 YEARS, RAMA NILAYAM,
   PATHIRIYAD P.O., (VIA) PINARAYI,
   KANNUR DT.

5. BIJU.K.K., AGED 35 YEARS,
   S/O.KESAVAN, FISHERIES QUARTERS, MOPLABAY,
   KANNUR.

6. K.ANIMON, KARICHALILL CHIRAYIL HOUSE,
   KATTIKADAVU P.O., P.O.KARUNAGAPPALLY-690 542.

7. A.K.LALMON, S/O.A.E.KRISHNANKUTTY,
   31 YEARS, ACHI HOUSE, PLANGADU P.O.,
   CHAVAKKADU, TRISSUR DISTRICT.

8. AJITH KUMAR.A.V., 35 YEARS,
   S/O.LATE K.VASUDEVAN, SHANTHI BHAVAN,
   PUNITHURA P.O., ERNAKULAM DISTRICT.

BY ADV. SRI.M.V.AMARESAN

RESPONDENTS:

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1. THE DIRECTOR OF FISHERIES,
   THIRUVANANTHAPURAM.

2. THE MANAGING DIRECTOR, MATYSAFED,
MATSYABHAVAN, KORAVANKONAM, THIRUVANANTHAPURAM.

3. THE SECRETARY TO GOVT.,
DEPARTMENT OF FISHERIES AND PORTS,
THIRUVANANTHAPURAM.

4. THE CHAIRMAN,
MATSYAFED, MATSYABHAVAN, KORAVANKONAM,
THIRUVANANTHAPURAM.

R1 & 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN
R2 & 4 BY SC SMT. LATHA KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 8395 OF 2007 Y
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Dated this the 13th March, 2007

J U D G M E N T

The petitioners are working as Hatchery Workers in the various aquahatcheries run by the Matsyafed. It is contended that having regard to the long service rendered as Hatchery Workers, they are eligible to be considered for regularisation in service. At present they are paid only daily wages. The petitioners point out that claims made by similarly situated persons have been considered favourably by the 3rd respondent vide Ext. P1 order dated 22-1-2007 and as many as 13 persons have been granted the benefit of regularisation in service. It is contended, based on the claim that these petitioners stand on a similar footing, their cases also ought to have been considered by the respondents along with those who are covered by Ext. P1. The petitioners have filed Ext. P3 representation before the 4th respondent to grant them similar benefits. It appears that the unit managers have sent communications stating that there is merit in the request made by the petitioners.

2. I have heard Shri. M.V. Amaresan, counsel for

the petitioners, Shri. Bijoy Chandran, Govt. Pleader for respondents 1 and 3 and Advocate Latha Krishnan for respondents 2 and 4.

3. In the circumstances, there shall be an order directing the 4th respondent to forward Ext. P3 representation filed by the petitioners to the 3rd respondent for effective consideration. This shall be done within two weeks from the date of receipt of a copy of the judgment. The 3rd respondent on receipt of the representation of the petitioners shall collect necessary details, consider the claim made by the petitioners for regularisation in service and take appropriate decision within two months from the date of receipt of the relevant records from the 4th respondent. It is open to the petitioners to file individual representations addressed to the 3rd respondent so that those representations also can be considered by the 3rd respondent along with Ext. P3 representation addressed to the 4th respondent.

The writ petition is disposed of as above.

K.K. DENESAN
JUDGE

jan/